

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR.

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JUDGMENT

Bhanwar Lal
vs.
Kesari Mal.

S.B.CIVIL SECOND APPEAL NO.126/2004
UNDER SECTION 100 CPC AGAINST THE
JUDGMENT AND DECREE DATED 29.7.2003
PASSED BY SMT. SHOBHA CHAUDHARY,
ADDITIONAL DISTRICT JUDGE NO.2,
BHILWARA IN CIVIL APPEAL NO.3/1997.

DATE OF JUDGMENT :: 12.4.2006

PRESENT

HON'BLE MR. PRAKASH TATIA, J.

Mr. S Singh, for the appellant.

Mr. S Saruparia, for the respondent.

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BY THE COURT:

Heard learned counsel for the parties.

The plaintiff/appellant's suit for eviction of his tenant/defendant was dismissed by the two courts below. The eviction of the tenant was sought on the ground of personal bonafide necessity of the landlord's son. Both the courts

below found that the appellant has alternate suitable accommodation for doing the business of his son. This concurrent finding of fact is based on evidence and I do not find that the courts below have committed any error of law.

In view of the above, I do not find that any substantial question of law arises in this appeal, therefore, this appeal deserves to be dismissed, hence, dismissed.

S.Phophaliya

(PRAKASH TATIA), J.